

STAT

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence  
Deputy Director for Administration

FROM: James H. McDonald  
Director of Logistics

SUBJECT: Proposed DIA/CIA Collocation

REFERENCES: (a) Memo dtd 17 Nov 78 to A-DDA fm C/RECD/OL,  
same subject

(b) Memo dtd 20 Nov 78 to DDA fm C/RECD/OL,  
same subject

(c) MFR dtd 21 Nov 78 fm DCI, subject:  
Conversation with Representative  
Joseph Fisher and Deputy Secretary  
of Defense Charles Duncan at Breakfast,  
21 Nov 78

1. Reference (c) contained three taskings on the subject project, specifically:

a. Prepare a plan of action to get the necessary environmental and planning commission clearances.

b. Prepare an approach to Congress based on the use of military construction funding.

c. Refine, with the assistance of the Pentagon, the figures indicating the number of DIA personnel to be located at Langley and determine their current place of residence.

Task a will be discussed in some detail in this paper and its attachments. Responsibility for Task b has been assumed by OLC at their request and a separate response is being prepared. Task c has also been deferred since DIA, when

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initially approached on 27 November, had received no internal directive to support our request. Subsequent to your 27 November meeting with the Secretary of Defense, DIA advised on 29 November that the requisite internal directive had been received. Our understanding, based on information received from DIA, is that the data sought in Task c is currently being prepared by DIA and will be transmitted directly to you through DoD channels circa 4 December 1978.

2. In response to Task a and to carry the Reference (b) discussion further, we will be dealing principally with the National Capital Planning Commission (NCPC) and the Environmental Protection Agency (EPA) for the necessary clearances. Upon receipt of Reference (c), discussions with senior representatives of NCPC and EPA were initiated by this Office and the following guidance was offered:

a. NCPC advised that NCPC coordinated communication with federal, state, and local government entities (identified as Referral Groups in Attachment 1) would be required to inform this group of our intent to modify our Master Plan, construct a specific building complex, and to solicit comments as a necessary step to implement the proposed actions. Following the phased preparation of the Master Plan and building design drawings, NCPC would submit them for referral to specific governmental entities for review and comment and then conduct NCPC hearings open to the public for NCPC approval of these proposed projects.

b. EPA advised that the preparation of an environmental assessment, and most likely, an environmental impact statement will be required, with the sponsoring agency acting as the clearinghouse for informing public and governmental entities of its draft environmental impact statement, conducting public meetings to solicit comments and information, preparation of a final environmental impact statement, and referral for final public review. EPA, as a regional Federal reviewing entity, would also review final environmental impact statements of each action for approval.

3. As regards the NCPC clearances, we have initiated the first step required in OMB Circular A-95 by seeking "early consultations" with NCPC. Our interface or action plan (see Attachment 1 for NCPC clearance cycle) with NCPC can be phased as follows:

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**Phase I - Master Plan Approval Process**

Officially notify NCPC of our intention to modify the existing preliminary Master Plan. Such notification will lead to the scheduling and conducting of a series of informative "early consultations" between Agency representatives and the entities listed in Attachment 1 with NCPC acting as the coordinator. Civic organizations could also be expected to participate in these early consultations. Based upon the data received at this series of consultations, incorporate the data and complete the revised Master Plan, submit the Master Plan to NCPC for transmittal to referral groups for comment, and submit the Master Plan to NCPC for NCPC hearings and approval. Note: The Environmental Assessment or Environmental Impact Statement (EIS) is an integral part of the Master Plan process and will therefore be prepared simultaneously. An environmental assessment or a draft and final environmental impact statement must be submitted to NCPC at the various submission and development stages of the Master Plan. See paragraph 4 below.

**Phase II - Preliminary Building Design Approval Process**

Submission to NCPC of preliminary site and building plans which will undergo a referral cycle limited to specific local planning entities constitutes this phase. As a minimum, the precise location of the building must be identified and at least the footprint, gross size, and preferably an artist's rendering of the proposed building should be included. A draft EIS, if necessary, should accompany this submission to NCPC and NCPC will also conduct a preliminary design review for approval.

**Phase III - Final Building Design Approval Process**

Submission to NCPC of the final site and building plans which will undergo a referral cycle limited to specific local planning entities constitutes this phase. At this stage, while the final design drawings may not be complete, the full range of details to include landscaping, utilities, sewage, parking, and a mock-up of the building containing work stations, special purpose areas, and details of the interior decor are required. The final EIS, if necessary, should accompany this submission to NCPC and NCPC will also conduct a final design review for approval.

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4. With regard to EPA clearances, the first steps are to determine whether the proposed revised Master Plan and the specific preliminary and final building designs require the preparation of environmental impact statements. In view of the specialized nature of environmental assessment and BIS preparation, both EPA and NCPC advised the hiring of a qualified consultant at the very outset. This consultant would participate in all NCPC Phase 1, 2, and 3 meetings to gather data with which to prepare environmental assessments and statements (see Attachment 2 for the EPA clearance cycle) as follows:

**a. Environmental Assessment**

It is the Agency's responsibility to follow its published National Environmental Policy Act (NEPA) Implementing Procedures (published in the Federal Register on 22 January 1974) and to determine if the proposed projects (revision to the Master Plan and the building preliminary and final designs) meet the NEPA tests of a "major" action having "significant" effect upon the environment. If a "significant impact" upon the environment is determined not to exist, a "negative determination" can be made by the Agency and, unless a court challenge ensues, the matter is closed and the preparation of an environmental impact statement and the ensuing process is not necessary. However, copies of the environmental assessment must be submitted to EPA and made available to anyone upon request. In this regard, it should be noted that in the five years after the passage of NEPA (1970-1975), 654 court actions were brought and, of these, 363 were brought by groups who felt that an impact statement should have been prepared. Other court actions were based upon the fact that published agency procedures were not followed. We stress that this assessment stage runs concurrently with the NCPC actions; requires the services of a qualified consultant; will involve a complete exchange of information with the entire panoply of groups, both civic and governmental, involved; and may, once the data is collected and analyzed, lead to the preparation of an EIS.

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**b. Environmental Impact Statement**

If significant impact upon environmental quality is determined by the Agency as a result of actions involved in the Master Plan or the building design plans, then the EIS must be prepared and a review process conducted. The preparation of an EIS by a consultant can be viewed as an expanded assessment and includes a more detailed study of the broad scope of all environmental factors ranging from the socio-economic to air pollution. Accordingly, the Agency would then be required to notify EPA and affected or interested local, state, federal, and public entities as to its intent to file a draft environmental impact statement. Copies of the draft are also to be made available to EPA and the above entities for review and comment. Within a scheduled time period established by EPA, the Agency is required to advertise, schedule, and conduct direct public meetings with whoever responds to the notifications to address the impact of the proposed actions, solicit comments and input, and to review and utilize such input in further development of the final version of the EIS. The Agency is then required to resubmit the final EIS to all interested parties for final review and to EPA for approval. The final EIS submission is to include a copy of all review comments and specifically indicate how such issues were addressed and resolved in arriving at the final EIS determination. The minimum time to accomplish the EIS process from the date of filing the draft EIS to approval of the final EIS is 90 days if no extraordinary issues occur. EPA advises that the above EIS process averages approximately five and one-half months in most cases. //

5. EPA advises that, in all likelihood, the EIS could be "scoped" to cover both the Master Plan and the proposed building design if sufficient information is available at the same time for the address of both actions. Since DoD would be funding the project to house defense personnel, and they are totally knowledgeable of all aspects of their requirements, DoD could be designated as the "lead" agency under the terms of NEPA (with direct continuing support, assistance, and coordination with the Agency) and undertake the major share of the above required efforts in the most expedient time frame. EPA also informed that the Army Corps of Engineers has an excellent in-house capability and a great deal of experience in preparing EIS statements, thus utilization of DoD resources could prove the most expedient solution to the problem.

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6. It should also be noted that, in response to our query, NCPC advised the Agency to include the Scattergood-Thorne tract and the GSA-controlled tract in our proposed revised Master Plan if the Agency desired to utilize this property for further building programs in the future. It would appear that the construction of the DIA facility could only be located on land assigned to the Agency at the present time and so indicated on a revised Master Plan for approval. It would also appear necessary at this time to determine how the Agency would propose to utilize the above unassigned tracts in the future in order to prepare a complete Master Plan at this time. Such future considerations could have significant implications upon the general acceptance of our immediate DIA needs at this time, NCPC approvals within their planning criteria for this area, and additional environmental implications beyond those which may be related to our immediate intentions.

7. Our discussions at NCPC and EPA elicited some potential problems which deserve mention. In addition to gaining the support of our neighbors at Langley, we should also be prepared for resistance from the D.C. Government which finally abandoned its fight to acquire the Bolling tract for the construction of low-cost housing when it was implied, if not guaranteed, that future DoD construction projects would result in an increase in permanent employment opportunities for District residents. The second major hurdle will be air pollution. NCPC advised that the BIS for the new Government Printing Office limited parking to 900 spaces for the 6,800 employees. Of course, GPO would be on the Metro line and has more public transportation available. However, air pollution, in conjunction with the (probable) increase in traffic density, will be a major concern of the referral group outlined in Attachment 1.

Signed: James H. McDonald

James H. McDonald

**Atts**

**Distribution:**

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NCPC CLEARANCE CYCLE

<u>Agency</u>	<u>Action</u>	<u>Agency</u>	<u>Purpose</u>	<u>Result</u>	<u>Remarks</u>
1. CIA	Consults with	NCPC	Advisory	Compliance w/Part II, OMB Circular A-95	Accomplished 24 November 78
2. CIA	Notifies of intent to revise Master Plan	NCPC	Required by Part II, A-95	Consultations & referral by NCPC	
3. Lead Agency (CIA or DOD)	Contracts for/ directs services	Environmental Consultant	Perform environmental assessment	Ultimately, decision as to requirement for EIS	
4. NCPC	Notifies	Referral Group*	Early consultations as required by A-95	CIA can assess reaction of referral group	
5. CIA	Submits revised Master Plan	NCPC	Clearing House for revised Master Plan	Plan distributed for written comment** from Referral Group	
6. CIA	Incorporates comments received into Master Plan (optional) and submits to NCPC	NCPC	NCPC Staff review & final coordination	Preparation for final full Commission presentation.	
7. NCPC	Schedules & makes project presentation	Full Commission meeting - open to public	Discuss - learn final comments from all interested parties	Commission votes to approve Master Plan or recommend changes***	
8. NCPC	Official notification of approval and/or recommendations to Agency and OMB				

Elapsed Time -  
Steps 2 - 8 approx  
180 days

(Continued)

NCPC CLEARANCE CYCLE (Continued)

\*The Referral Group, as a minimum, will consist of:

<u>County</u>	Executive (vacant) Planning Director - Theodore Wessel Environmental Mgmt Director - Larry Coons Environmental Affairs Dir - (vacant) Fire and Rescue - George Alexander Housing and Community Development - Walter Diech Public Works - Glen Erlich Transportation Director - Shiva Pamp Supervisors - Chairman (Herrity), Member (Shacochis)
<u>Regional</u>	Council of Governments - A-95 Representative No. Virginia Regional Planning District - John Epling
<u>State</u>	Clearinghouse - Richmond - Dept. of Transportation
<u>Federal</u>	Dept of Interior - National Park Service Dept of Transportation - Bureau of Public Roads General Services Administration - Plans Staff

\*\*Comments on the following are solicited:

- a) Extent project is consistent with state and local comprehensive plan.
- b) Extent to which project must be coordinated with other activities or might be revised to increase its effectiveness or efficiency.
- c) Extent to which project contributes to local objectives relating to natural and human resources -- wise development and conservation of water, mineral, land, wildlife and other resources -- balanced transportation systems -- protection of unique natural beauty, historical and scientific interest -- properly planned facilities including utilities (power, water, communications, and disposal of waste) -- concern for high standards of design.

(Continued)



NCPC CLEARANCE CYCLE (Continued)

\*\* Cont'd

d) As required by NEPA, significant effects on the environment to include:

- (1) Environmental impact
- (2) Adverse environmental effects which cannot be avoided.
- (3) Alternatives to the proposed project.
- (4) Correlation between short and long term uses of man's environment.
- (5) Any irreversible or irretrievable commitment of resources involved in the project.

e) Effects on energy resource supply and demand.

\*\*\*NCPC findings are advisory and Agency head may take exception.

EPA CLEARANCE CYCLE

<u>Agency</u>	<u>Action</u>	<u>Agency</u>	<u>Purpose</u>	<u>Result</u>	<u>Remarks</u>
1. CIA	Consults	EPA	Early consul- tations	Compliance with Part II, CEQ Guidelines	Accomplished 27 Nov 78
2. Lead Agency (CIA or DoD)	Contracts for/ directs services	Environmental consultant/COE	Perform environ- mental assess- ment	Prepares EAS and EIS (draft & final) as required	
3. Lead Agency	Publishes	<u>Federal Register</u> , local press, etc.	Public notifica- tion of intent to revise MP/ construction plan	Generate comments from interested civic and conservation groups	
4. Lead Agency w/consultant	Participates	NCPC, Referral Group, EPA, CEQ, et al	Gather data, inter- change of info regarding revision to MP/construction	Completion of EAS- decision as to "negative determi- nation" or require- ment for EIS	
5. Lead Agency	Distributes EAS	EPA, CEQ, NCPC, Referral Group, and other inter- ested parties	Advise of "nega- tive determina- tion"	Fulfills legislative requirements	Assuming EIS is not re- quired, cycle complete - should court action ensue at later date, must defend finding of "negative "determination"
6. Lead Agency	Publicizes intent	EPA	Inform EPA and public of intent to file an EIS	Compliance with CEQ guidelines	

(Continued)

EPA CLEARANCE CYCLE (Cont'd)

<u>Agency</u>	<u>Action</u>	<u>Agency</u>	<u>Purpose</u>	<u>Result</u>	<u>Remarks</u>
7. Lead Agency	Prepares draft EIS (DEIS)	All	Fulfill CEQ guidelines		
8. Lead Agency	Files draft EIS (DEIS)	EPA	Fulfill CEQ guidelines	Circulated to all agencies/ interested parties for comment	After filing draft EIS, minimum 45 days for review, public meetings, and comment must be allowed.
9. Lead Agency	Publicizes public interface schedule	All	Conduct public meetings for comment and input	Compliance with CEQ guidelines	
10. All Agencies/ Interested Parties	Review draft EIS/submit comments	Lead Agency	Provide data for completion of final EIS	Valid comments incorporated into final EIS	Minimum 15 days allowed for compilation of comments
11. Lead Agency	Completes/ distributes final EIS	All Agencies	Final review- Note: EPA must also review for compliance with Sec 309 of Clean Air Act	Assuming no further comments, review cycle is complete	Minimum 30 days allowed for review of final EIS
12. Lead Agency	Files final EIS	CIA, DoD, CEQ, & EPA	Required by NEPA		

NOTE: Minimum time from filing of the draft Environmental Impact Statement to Action to Implement -- 90 days.

Average time from filing of the draft Environmental Impact Statement to Action to Implement -- 165 days.

17 November 1978

78-0094/17  
Executive Registry  
78-1469/1  
OLC ==73-3122/

MEMORANDUM FOR: Acting Deputy Director for Administration

VIA: Director of Logistics

FROM:

Chief, Real Estate and Construction  
Division, OL

STAT

SUBJECT: Proposed DIA/CIA Collocation

- REFERENCES:
- (a) MFR dtd 9 Nov 78 fm DCI, Subject: Conversation with Deputy Secretary of Defense Duncan, 8 November 78 (paragraph 6)
  - (b) Memo dtd 23 May 78 to DDA fm DC/RECD/OL, Subject: Breakdown of Components for Proposed DIA Building
  - (c) Memo dtd 31 May 78 to A-DDA fm DC/RECD/OL, Subject: same as (b) above

1. By Reference (a), the DCI requested clarification of the DIA personnel figures associated with construction at Bolling Air Force Base or Langley and more detail on just what clearances are required and from whom in order to do any building at Langley. His query on personnel figures is answered in this memorandum and his question on clearances will be answered by separate memorandum by close of business Monday, 20 November 1978.

2. Regarding personnel figures, projected DIA manning after the proposed consolidation at Bolling Air Force Base is summarized in Attachment 1. These figures, plus current manning figures, broken down by functional element, are all shown in more detail in the manning matrix included as Attachment 2 which is current as of 15 November 1978. We have also included as Attachment 3, DIA organization charts which can be used in conjunction with Attachment 2 if more detail on each organizational element is desired.

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3. We have circled on Attachment 2 those elements which we previously identified to you in References (b) and (c) as being analytical elements which would be suitable for location at Langley. If you recall, we originally estimated that these elements would contain [ ] personnel. Subsequently, the DCI suggested that we reduce reproduction, library, and administration manning levels by 10 percent; delete Defense Attache System (DAS) headquarters support personnel; and add back in scientific intelligence and estimates. Having done so, our new total was [ ] personnel. If we do the same thing with the figures shown on Attachment 2, we get a new total of [ ] personnel rather than [ ]. This difference exists because DIA changed their projected manning levels subsequent to the referents and because we originally assumed that headquarters management of the DAS was included in the figure for basic intelligence production when, in fact, it was not. STAT

4. In addition to this new, [ ] man personnel figure, discussions between the DIA and CIA focal point officers on 16 November lead us to believe that there are several other elements which should be located at Langley. These elements include approximately half of the [ ] contractor personnel and at least some of the collection managers and security specialists shown in Attachment 2. The contractor personnel provide maintenance and software support to the data processing systems which would be located at Langley and some collection and security personnel are involved in direct support of analysts. In any event, the number of additional personnel involved should not exceed the [ ] man figure approved by the National Capital Planning Commission (NCPC) as part of the Agency's preliminary Master Plan. In summary, we have evolved to a point where virtually all elements to be included at Bolling Air Force Base would instead be located at Langley (within the [ ] man figure) with the exception of [ ]. STAT

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20 NOV 1978

MEMORANDUM FOR: Deputy Director for Administration

VIA: Director of Logistics

FROM:

Chief, Real Estate and Construction  
Division, OL

STAT

SUBJECT: Proposed DIA/CIA Collocation

- REFERENCES:
- (a) MFR dtd 9 Nov 78 fm DCI, Subject: Conversation with Deputy Secretary of Defense Duncan, 8 November 1978 (paragraph 6)
  - (b) Memo dtd 17 Nov 78 to A-DDA fm C/RECD/OL, Subject: Proposed DIA/CIA Collocation

1. The DCI, in Reference (a), requested more detailed information on the subject of the "clearances" needed before construction of a DIA building on the Langley compound could commence. This subject can be roughly divided into two categories: legislative and executive. By prior agreement, OLC has offered to provide a separate paper to the DCI containing more specific information on the legislative aspects of this problem. An initial OL opinion is, however, that a host of Congressional committees would become involved in this particular situation, including those responsible for appropriations, defense, intelligence, and, most probably, public works.

2. By way of background to a discussion of executive level coordination required, several comments should be made concerning the preliminary Master Plan for the Langley site and on the National Environmental Protection Act. Our preliminary Master Plan was approved by the National Capital Planning Commission (NCPCC) in 1972. Our current plan limits the gross square footage for any given structure to a maximum of 356,000 gross square feet (considerably less than that

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SUBJECT: Proposed DIA/CIA Collocation

needed to accommodate the DIA complement envisioned in Reference (b)) and limits total employee growth to no more than [ ] Moreover, the 1972 plan was adopted by NCPC in executive session at the request of the Agency. Thus, it has never been circulated outside NCPC for comment by federal, state, or local authorities who must, in the final analysis, give their blessing to any construction on the compound. The combination of these factors leads to the conclusion that the existing preliminary Master Plan of 1972 may have to be discarded and a new Master Plan required unless either the DCI's influence or other appropriate executive level pressure is applied. Another situation which will have an impact on the clearance process is the National Environmental Protection Act (NEPA) of 1969. In May 1977, President Carter amended the existing Executive Order on this subject and directed the Council on Environmental Quality (CEQ) to issue legally binding regulations implementing NEPA's procedural provisions. Under existing law, an Environmental Impact Statement (EIS) is required for any federal action which is determined to have a "significant" impact upon environmental quality. The Agency has yet to file an EIS for any project, and discreet inquiries at CEQ indicate some chance, however minimal in this particular case, of getting by with merely an Environmental Assessment - a much less complicated procedure wherein negative environmental impact is determined by the sponsoring agency. An EIS runs to 150 pages, requires the use of outside consultants to complete, must be filed with the Environmental Protection Agency (EPA), and involves public hearings. Recent dealings with local authorities on such minor projects as installation of the incinerator reinforces our belief that, barring direct DCI influence or intervention, it may be necessary to file an EIS to preclude subsequent litigation in approving construction of the magnitude intended. In sum, although there is some hope that filing of an EIS could be avoided, the risk of adversary action is so great that we recommend filing an EIS in order to protect our flanks and forestall inordinate delays once the project is underway.

3. With the foregoing background in mind, the following steps could be required:

a. Prepare and submit to NCPC a new Master Plan for the Langley compound.

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b. Prepare and submit to NCPC a preliminary site and building plan for the proposed building.

c. Contract for, file with EPA, and circulate for comment, an EIS.

Steps a and b would be separated by some 60-90 days to allow time for NCPC to obtain approval of the Master Plan. Step c would run concurrently so that all obstacles could be overcome and the necessary approvals, or clearances, obtained more or less simultaneously. NCPC will act as a clearinghouse for steps a and b by circulating the plan and proposal, conducting hearings, summarizing findings, and, finally, voting to approve the plan and project. In this clearinghouse role, NCPC will coordinate with the following agencies:

Health, Education and Welfare (HEW) - employment opportunities for handicapped, minorities

Housing and Urban Development (HUD) - availability of low-cost housing

Metropolitan Washington Transportation Authority (MWTA) - traffic density on access roads

Fine Arts Commission (FAC) - conformance with Potomac River skyline (and an influential factor in aesthetics of all Metropolitan Washington Area (MWA) construction)

Local Government - Fairfax County Planning Commission, Northern Virginia Regional Planning Commission, the State Clearinghouse (Richmond, VA), and the Metropolitan Washington Council of Governments (COG) - sewage treatment, highway congestion, access roads, drainage, effluents, ad infinitum.

While the Agency would have to defend its proposals and be prepared to compromise if necessary, at least in this portion of the process, NCPC would act as the agent and carry the bulk of the administrative load. The EIS submission presents a different problem because the Agency must accomplish everything itself--prepare or have prepared the EIS, file with EPA, circulate for comments, and hold public hearings if necessary to determine measures to minimize any significant impact of the proposed construction upon the environment. Assuming that no major obstacles are encountered, NCPC/EPA approval would normally be completed within 18 months from the time the Master Plan and EIS are prepared and submitted for comment/approval.



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4. The information provided above on clearance procedures is responsive to the DCI's specific request, but there are also potential problems in the funding and implementation of a project of this magnitude with which the DCI should be familiar. Described below are several different approaches to funding and implementation and a brief description of the problems associated with each.

a. The first and perhaps most expedient at this point in time would be to get OMB and Congressional approval to utilize the construction funds currently included in the FY-80 Military Construction appropriation for construction at Langley rather than Bolling and to use the Navy (DIA's construction agent) and their Architect-Engineer to accomplish the project at Langley. GSA can be expected to object to this approach since the original construction at Headquarters and all subsequent maintenance, operation, and new construction has been effected by them. On the other hand, they have done so at the invitation of the Agency because money for the original construction and most subsequent construction was appropriated directly to the Agency, not GSA. This may well become a legal/jurisdictional issue which would have to be resolved by the Office of the General Counsel (OGC).

b. A second and less desirable approach would be to have the Agency seek specific legislation approving and funding Langley construction and accomplish the work by direct contract between the Agency and a "turn-key contractor" who would perform both design and construction. Obviously, the legislative process is lengthy and requires considerable coordination. Moreover, direct contracting by the Agency, particularly if it was to be accomplished on a sole-source, negotiated basis to minimize delay, would require the DCI to utilize his extraordinary operational authorities as contained in the CIA Act of 1949. This approach would require investigation by OGC and, if not authorized, then a direct contract could only be written with a specific delegation from the Administrator of GSA, an unlikely event considering their role as major "construction agency". It should also be noted that this approach would require the full-time services of an additional number of Agency personnel to manage the project.

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c. The only other alternative, the GSA/prospectus route, is considered unacceptable because it so obviously exceeds the time frame already established.

5. The additional information provided above is intended simply to introduce all the possible issues which must be resolved before construction could proceed at Langley. Should the DCI desire a more definitive discussion of these alternative courses of action, it is recommended that a group comprising OLC, OGC, Comptroller, and OL facilities representatives be tasked to develop same.

6. Please let me know the DCI's desires in this matter.

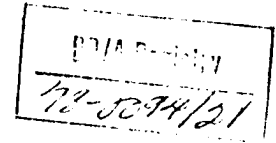


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## ROUTING AND RECORD SHEET

SUBJECT: (Optional)				STAT	
FROM:  Acting Legislative Counsel			EXTENSION	NO	
			DATE		
			20 November 1978		
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)	
	RECEIVED	FORWARDED			
1. DDCI				<p>Attached is a memorandum for the record which outlines some of the legislative hurdles we will face if there is to be new construction at Langley. The current Headquarters building was handled as a public works project. We will need to consult with the Congress on how any new building is to be handled. You may want to talk to Duncan or Brown about this.</p> <p>15/</p> <p>STAT</p>	
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3. DCI					
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OLC #78-3122/3  
16 November 1978

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Jim Fellenbaum on Possible  
New Building at Langley

1. On 16 November 1978, I called Jim Fellenbaum, Senate Appropriations Committee staff, and asked him what the Congressional procedure might be if we were to request construction at Langley for either a DIA building or for a building serving both DIA and CIA.

2. Fellenbaum said the first consideration would be whether the construction was considered military rather than civilian as this would determine whether it went into the military budget and before Military Construction rather than Public Works. The Defense Department is annually provided planning money for military projects under consideration. These projects are not yet authorized by legislative enactment, but they are identified to Congress in the budget process. If approved by the Military Construction Subcommittees of Appropriations Committees, planning money may be spent for architectural and engineering plans. When the design phase is at least 30 percent completed, the project may be submitted for authorization by the Armed Services Committees and then for full construction funding by the Military Construction Subcommittees of Appropriations. Normally, planning and construction funding are one or more years apart. But there have been cases of funding both planning and construction in the same year. It is not usually possible to accurately forecast construction costs until planning is at least 30 percent completed.

3. Fellenbaum assumes that any project located at Langley will acquire substantive approval by the House and Senate Select Committees as well as Armed Services (if military) or Public Works (if non-military). Appropriation requests will either go before Military Construction or Public Works Subcommittees of Appropriations Committees.

4. Fellenbaum is the principal Senate Appropriations Committee staffer for the intelligence budget. He is also the principal staffer for military construction.



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Office of Legislative Counsel

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